



Merck & Co., Inc.
P.O. Box 2000
Rahway, NJ 07065

Patent Department

Facsimile Cover Sheet

TODAY'S DATE: January 18, 2006

PLEASE DELIVER THE FOLLOWING MESSAGE TO:

Examiner's Name: Myron G. Hill

Examiner's fax number: (571) 273-8300

Group number: 1648

THIS MESSAGE IS FROM:

Name: Joan Switzer

Phone No.: (732) 594-5616

Mail Location: RY60-30

Fax No.: (732) 594-4720

RE: Applicants: Merck & Co., Inc.

Case No.: 20377YP

Serial No.: 09/890,836

Filed: August 3, 2001

Title: Improved Helper Dependent Vector System for Gene Therapy

COMMENT: Amendment and Response under 37 CFR 1.116 follows.

NUMBER OF PAGES BEING TRANSMITTED (INCLUDING COVER): 10

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January 18, 2006

Date

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/890,836
Filing Date	August 3, 2001
First Named Inventor	Bett, Andrew et al.
Art Unit	1648
Examiner Name	Myron G. Hill
Attorney Docket Number	20377YP

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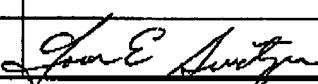
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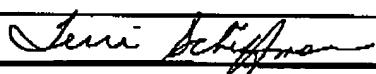
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Name	Joan E. Switzer	Registration No. (Attorney/Agent)	34,740
Signature		Date	1/18/2006

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JAN 18 2006

PATENT
CASE NO. 20377YP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In re application of: BETT, ANDREW ET AL.Serial No. 09/890,836Filed August 3, 2001Group Art Unit 1648Examiner Myron G. Hill

For: Improved Helper Dependent Vector System for Gene Therapy

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required.
 The fee has been calculated as shown below.

CLAIMS AS AMENDED

(1)	(2) Claims remaining after amendment	(3)	(4) Highest Number Previously Paid For	(5) Present Extra	(6) Rate	(7) Additional Fee
Total Claims	* <u>15</u>	-	** <u>41</u> =	<u>0</u> X	\$50	= <u>0.00</u>
Independent Claims	* <u>1</u>	-	*** <u>7</u> =	<u>0</u> X	\$200	= <u>0.00</u>
Multiple Dependent Claims					\$360 ****	= <u></u>
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						0.00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

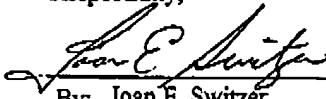
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*** If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space.

**** Add this fee only if application is amended to include multiple dependent claims (regardless of number) and no multiple dependent claims were originally filed.

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Respectfully,



By: Joan E. Switzer

Attorney for Applicant(s)

Reg. No. 34,740

MERCK & CO., INC.
Patent Dept., RY60-30
P.O. Box 2000
Rahway, N.J. 07065-0907

(732) 594-5616

Date: January 18, 2006

IN DUPLICATE

PATENT
CASE NO. 20377YP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450In re application of: BETT, ANDREW ET AL.
Serial No. 09/890,836
Filed August 3, 2001
Group Art Unit 1648
Examiner Myron G. Hill
For: Improved Helper Dependent Vector System for Gene Therapy

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 No additional fee is required. The fee has been calculated as shown below.

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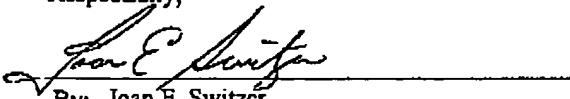
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By: Joan E. Switzer

Attorney for Applicant(s)

Reg. No. 34,740MERCK & CO., INC.
Patent Dept., RY60-30
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Rahway, N.J. 07065-0907

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Date: January 18, 2006

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Terri Schiffman

Type or Print Name

Terri Schiffman

Signature

January 18, 2006

Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bett, Andrew, et al.

Serial No.: 09/890,836 - Case No.: 20377YP

Art Unit:

1648

Filed: August 3, 2001

Examiner:

For: IMPROVED HELPER DEPENDENT VECTOR
SYSTEM FOR GENE THERAPY

Hill, Myron G.

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE UNDER 37 CFR §1.116

Sir:

This is in response to the outstanding Final Office Action dated November 1, 2005 received in connection with the above captioned matter. In that a response to the Final Office Action is due on February 1, 2006, this response is timely and no further extension of time is needed. Please amend the above-identified application as follows:

Amendment to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.